

Birth Defects Reporting Requirements

Birth Defects are required to be filed with the State of Nebraska per State Statute 71-645-71-649. The Nebraska Department of Health & Human Services (DHHS), The Division of Public Health, has been collecting birth defect data since 1973. All infants from newborn to one year of age who have a diagnosis code which falls into the ICD-CM9 range of 740-759 are to be reported to DHHS.

71-645 -- Birth defects; findings and duties. It is hereby found that the occurrence of malformation or inherited disease at the time of birth is a tragedy for the child, the family, and the community, and a matter of vital concern to the public health. In order to provide for the protection and promotion of the health of the citizens of the state, the department shall have the responsibility for the implementation and development of scientific investigations and research concerning the causes, methods of prevention, treatment, and cure of birth defects.

Source: Laws 1972, LB 1203, § 1; Laws 1996, LB 1044, § 546; Laws 2007, LB296, § 444

71-646 -- Birth defects; registry; purpose; information released. The department shall establish a birth defects registry for the purpose of initiating and conducting investigations of the causes, mortality, methods of prevention, treatment, and cure of birth defects and allied diseases. Any information released from the registry shall be disclosed as Class I, Class II, Class III, or Class IV data as provided in sections 81-663 to 81-675.

Source: Laws 1972, LB 1203, § 2; Laws 1993, LB 536, § 64; Laws 1996, LB 1044, § 547; Laws 2007, LB296, § 445.

71-647 -- Birth defects; department; powers and duties; information released. (1) The department shall have and may exercise the following powers and duties: (a) To conduct scientific investigations and surveys of the causes, mortality, methods of prevention, treatment, and cure of birth defects; (b) To publish at least annually the results of such investigations and surveys for the benefit of the public health and to annually collate such publications for distribution to scientific organizations and qualified scientists and physicians; (c) To carry on programs of professional education and training of medical students, physicians, nurses, scientists, and technicians in the causes, methods of prevention, treatment, and cure of birth defects; (d) To conduct and support clinical counseling services in medical facilities; and (e) To secure necessary scientific, educational, training, technical, administrative, and operational personnel and services including laboratory facilities by contract or otherwise from public or private entities in order to carry out the purposes of this section. (2) Any information released from the birth defects registry shall be disclosed as Class I, Class II, Class III, or Class IV data as provided in sections 81-663 to 81-675.

Source: Laws 1972, LB 1203, § 3; Laws 1993, LB 536, § 65; Laws 1996, LB 1044, § 548; Laws 2007, LB296, § 446

71-648 -- Birth defects; reports. Birth defects and allied diseases shall be reported by physicians, hospitals, and persons in attendance at births in the manner and on such forms as may be prescribed by the department. Such reports may be included in the monthly report to the department on births as required by section 71-610. Such reports shall be forwarded to the department no later than the tenth day of the succeeding month after the birth. When objection is made by either parent to furnishing information relating to the medical and health condition of a live-born child because of conflict with religion, such information shall not be required to be entered as provided in this section.

Source: Laws 1972, LB 1203, § 4; Laws 1992, LB 1019, § 60; Laws 1993, LB 536, § 66; Laws 1996, LB 1044, § 549; Laws 2007, LB296, § 447.

71-649 -- Vital statistics; unlawful acts; enumerated; violations; penalties; warning statement. (1) Any person who (a) willfully and knowingly makes any false statement in a certificate, record, or report required to be filed pursuant to the Vital Statistics Act, in an application for an amendment thereof, or in an application for a certified copy of a vital record or willfully and knowingly supplies false information intending that such information be used in the preparation of any such report, record, certificate, or amendment thereof; (b) without lawful authority and with the intent to deceive, makes, counterfeits, alters, amends, or mutilates any certificate, record, or report required to be filed pursuant to the act or a certified copy of such certificate, record, or report; (c) willfully and knowingly obtains, possesses, uses, sells, furnishes, or attempts to obtain, possess, use, sell, or furnish to another, for any purpose of deception, any certificate, record, report, or certified copy thereof so made, counterfeited, altered, amended, or mutilated; (d) with the intention to deceive, willfully and knowingly obtains, possesses, uses, sells, furnishes, or attempts to obtain, possess, use, sell, or furnish to another any certificate of birth or certified copy of a certificate of birth knowing that such certificate or certified copy was issued upon a certificate which is false in whole or in part or which relates to the birth of another person, whether living or deceased; (e) willfully and knowingly furnishes or possesses a certificate of birth or certified copy of a certificate of birth with the knowledge or intention that it be used for the purposes of deception by a person other than the person to whom the certificate of birth relates; (f) without lawful authority possesses any certificate, record, or report required by the act or a copy or certified copy of such certificate, record, or report knowing the same to have been stolen or otherwise unlawfully obtained; or (g) willfully and knowingly tampers with an electronic signature authorized under section 71-603.01 shall be guilty of a Class IV felony. (2) Any person who (a) willfully and knowingly refuses to provide information required by the Vital Statistics Act or rules and regulations adopted under the act or (b) willfully and knowingly neglects or violates any of the provisions of the act or refuses to perform any of the duties imposed upon him or her under the act shall be guilty of a Class I misdemeanor. (3) The department may include on any appropriate certificate or document a statement warning of the consequences for any such violation.

Source: Laws 1977, LB 72, § 2; Laws 1978, LB 748, § 37; Laws 1994, LB 886, § 14; Laws 1996, LB 1044, § 550; Laws 1997, LB 307, § 168; Laws 2005, LB 301, § 29.